

67,124-013; R-05324

REMARKS

Applicant has made two amendments to dependent claims 17 and 22 to correct errors in their dependency. Claim 17 was indicated as being allowable. Claim 22 was dependent to a claim that did not exist. No new issues are raised by this amendment, and entry is requested.

Reconsideration of the rejection is also requested. The claims stand rejected over the Japanese reference to Izumi and the United States Patent to Takigawa, et al.

Izumi cannot meet the claims. Independent claim 1 requires that there be a valve for "controlling the amount of heat delivered into" the generator. Independent claim 9 requires that there be a "valve on said source of heat" and that this valve has its opening controlled at start-up.

Independent claim 13 requires a "valve for controlling the amount of heat delivered into" the generator. Each of these independent claims also require that the valve have a start-up mode (claims 1 and 9) or is controlled differently during an "increasing temperature mode" (claim 13).

The Izumi relates to a control for cooling water. As such, and at best, this reference relates to the removal of heat from a generator. Applicant's claim relates to the delivery of heat, and thus the Izumi reference does not meet the claims.

Notably, and while it appears clear that Izumi is not a proper reference, should the examiner insist on maintaining this rejection, a translation of this reference is requested. Under the applicable rules in the MPEP, the examiner cannot maintain this rejection without preparation of a complete translation. Again, applicant believes the claims clearly define around the Izumi reference at least based upon the statements made in the English abstract.

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The Takigawa, et al. reference also does not meet the claims. Takigawa, et al. controls the amount of fuel delivered to a burner. As such, the valve is actually upstream of the source of heat. The valve 32 is also not controlled to provide any distinct mode at start-up.

Thus, claim 1 requires that there be a control for the valve and that "during start-up" this control controls the amount of opening of the valve based upon certain feedback.

Independent claim 9 requires that there be a valve "on said source of heat." The claim further requires that there be feedback to this valve "at start-up."

Independent claim 13 requires that there be a valve for controlling the amount of heat delivered into the generator, and that there be an "increasing temperature mode" during which a control controls the opening of this valve.

Nothing within Takigawa, et al. discloses a start-up mode or any increasing temperature mode. As such, Takigawa, et al. cannot meet the claims. Several of the dependent claims also define around the Takigawa, et al. reference. In particular, dependent claims 21-23 all recite that a start-up mode is ended after a determination that a start-up transient has stopped, and that the system then moves out of start-up mode.

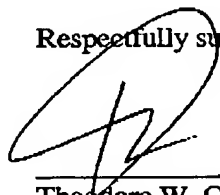
Again, Takigawa, et al. does not even disclose a start-up mode, and thus cannot meet the limitations that after a transient, the start-up mode is ended.

For the reasons set forth above, the rejection of all claims is improper. An indication of such is solicited along with an allowance of all claims.

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Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,

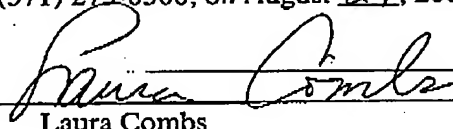


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (571) 273-8300, on August 24, 2005.



Laura Combs